

1 In addition to the Citation Corporation, the Debtors include the following entities: (i) Citation  
2 Holding Company, (ii) Berlin Foundry Corporation, (iii) Bohn Aluminum, Inc., (iv) Castwell  
3 Products, Inc., (v) Citation Precision, Inc., (vi) HI-TECH, Inc., (vii) Iroquois Foundry Corporation,  
4 (viii) ISW Texas Corporation, (ix) Mansfield Foundry Corporation, (x) OBI Liquidating Corp., (xi)  
5 Texas Steel Corporation, (xii) TSC Texas Corporation, (xiii) Citation Aluminum, LLC, (xiv) Citation  
6 Castings, LLC, (xv) Citation Grand Rapids, LLC, (xvi) Citation Lake Zurich, LLC, (xvii) (Citation  
7 Michigan, LLC, (xviii) Citation Wisconsin Forging, LLC, (xix) Citation Wisconsin, LLC, xx) ITM  
8 Holding Co., LLC, (xxi) Interstate Southwest, Ltd., (xxii) Texas Foundries Ltd., and (xxiii) MFC  
9 Liquidating Company, Ltd.

**ORDERED**, that the Claims Agent send the Notice by regular mail to each of the creditors that are listed on the Debtors' schedules, and to all counsel for creditors that have made an appearance in this case, to all known persons or entities that are parties to executory contracts or unexpired leases as of the date of entry of the Order, to all taxing authorities for the jurisdictions in which the Debtors conduct business, to all holders of equity securities in the Debtors, and to all known entities that might assert claims against the Debtors, along with the proposed proof of claim form annexed hereto as Exhibit "B"; and it is further

**ORDERED**, that Debtors will give public notice of the General Bar Date by publishing, on a weekly basis, notice of the General Bar Date in newspapers of general circulation in the counties in which the Debtors currently operate or have operated in the last twelve months and in the state capital in every state that the Debtors are currently operating or have operated in the last three years, and in *The Wall Street Journal*, for a period of three weeks from the date this Order is entered and such notice constitutes good, adequate and sufficient publication notice pursuant to Bankruptcy Rule 2002(a)(7) with respect to all known and unknown creditors; and it is further

**ORDERED**, that a Proof of Claim in respect to a claim or claims in one of the following categories is NOT required to be filed on or before the General Bar Date:

- a. Any person or entity whose claim is listed on the Schedules filed by the Debtors, provided that (i) the claim is not scheduled as "disputed," "contingent" or "unliquidated"; and (ii) the claimant does not disagree with the amount, nature and priority of the claim as set forth in the Schedules; and (iii) the claimant does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
- b. Any holder of a claim that heretofore has been allowed by order of the Court;
- c. Any person or entity whose claim has been paid in full;
- d. Any holder of a claim for which specific deadlines have previously been fixed by the Court;
- e. Any Debtor having a claim against another Debtor or any of the non-debtor affiliates of Citation Corporation having a claim against any of the Debtors;
- f. Any holder of a claim allowable under § 503(b) and § 507(a) of the Bankruptcy Code as an expense of administration;

- g. Any Governmental Unit (as defined by 11 U.S.C. § 101(27)), which entity shall file any proof of claim in accordance with 11 U.S.C. § 502(b)(9); and
- h. Claims by non-debtor parties to any rejected executory contract or unexpired lease (an "Executory Contract") arising solely from the rejection of such Executory Contract, provided, however, that such Claims shall be filed in accordance with any order of the Court applicable thereto, in each case, as to such claim or interest; and it is further

**ORDERED**, that JPMorgan Chase Bank, as the agent of the Prepetition Lenders, may file one Proof of Claim on behalf of the Prepetition Lenders and each Prepetition Lender shall retain the exclusive right (if any) to vote individually on any plan of reorganization of the Debtors with respect to their respective claims; and it is further

**ORDERED**, that if the Debtors amend their Schedules, the Debtors will provide prompt notice of such amendment to any creditor whose claim is affected thereby, and each such creditor will be required to file a Proof of Claim, if necessary, with respect thereto on or before the later of (i) the General Bar Date or (ii) thirty (30) days after the notice of such amendment; and it is further

**ORDERED**, that the General Bar Date does not apply to holders of an equity security interest in the Debtors and that if any equity security holder asserts a claim against the Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, a proof of such claim must be filed on or prior to the General Bar Date pursuant to procedures set forth in the Bar Date Notice; and it is further

**ORDERED**, that any person or entity that is required to file an original Proof of Claim in the form and manner specified by the Order, but fails to do so by the General Bar Date (i) shall be forever barred, estopped and enjoined from asserting such claim against the Debtors, their successors and their assigns, their property, and their chapter 11 estates or thereafter filing a proof of claim with respect thereto and (ii) shall not be permitted to vote on any chapter 11 plan proposed in these cases or participate in any distribution in the Debtors' chapter 11 cases on account of such claim. Further, any Proof of Claim received by Bankruptcy Services, LLC ("BSI"), the Debtors' claims and noticing agent, through facsimile or email shall not be acceptable and shall not be valid for any purpose; and it is further

**ORDERED**, that all claims must be filed with BSI in the manner set forth in the Notice in

order to be acceptable and valid; and it is further

**ORDERED**, that the claims are NOT to be filed with the Clerk of Court after entry of this Order; and it is further

**ORDERED**, that any Proof of Claim filed with the Clerk of Court before the entry of this Order that is substantially in the form of Official Form 10 will be deemed timely filed and counsel for Debtors shall, without necessarily consenting to such claim, transmit any such claim filed with the Clerk of Court prior to the entry of this Order to BSI; and it is further

Dated this the 2nd day of December, 2004.

/s/ Tamara O. Mitchell  
United States Bankruptcy Judge

**IN RE:**

**CITATION CORPORATION, et al.,<sup>2</sup>**

## Debtors.

## Chapter 11

**Case No. 04-08130-TOM-11  
(Jointly Administered)**

## **NOTICE OF JANUARY 7, 2005 DEADLINE FOR FILING PROOFS OF CLAIM**

**TO ALL CREDITORS, EQUITY INTEREST HOLDERS OF THE DEBTORS, AND OTHER PARTIES-IN-INTEREST:**

PLEASE TAKE NOTICE OF THE FOLLOWING:

In accordance with an order entered on November 30, 2004, by the United States Bankruptcy Court for the Northern District of Alabama, Southern Division (the "Bankruptcy Court"), in the above-captioned Chapter 11 cases (the "Bar Date Order"), 5:00 p.m. Eastern Time on January 7, 2005 (the "General Bar Date") has been established as the last date for each person or entity (including individuals, partnerships, corporations, joint ventures and trusts) to file a proof of claim in the chapter 11 cases of the above-captioned debtors and debtors-in-possession (collectively, the "Debtors"). A list of all Debtors in these chapter 11 cases is attached hereto as Exhibit A.

The General Bar Date and the procedures set forth below for filing proofs of claim apply to all claims against the Debtors that arose prior to September 18, 2004 (the "Petition Date"), the date on which the Debtors commenced cases under chapter 11 of the United States Bankruptcy Code, except for those holders of the claims listed in Section 4 below that are specifically excluded from the General Bar Date filing requirement.

## 1. WHO MUST FILE A PROOF OF CLAIM

You MUST file a proof of claim to vote on a Chapter 11 plan filed by the Debtors or to share in distributions from the Debtors' bankruptcy estates if you have a claim that arose prior to September 18, 2004, and it is not one of the types of claim described in Section 4 below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date, including, without limitation, personal injury or medical conditions that may have been caused by the acts or omissions of any of the Debtors, must be filed on or prior to the General Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word "claim"

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5 (viii) ISW Texas Corporation, (ix) Mansfield Foundry Corporation, (x) OBI Liquidating Corp., (xi)  
6 Texas Steel Corporation, (xii) TSC Texas Corporation, (xiii) Citation Aluminum, LLC, (xiv) Citation  
7 Castings, LLC, (xv) Citation Grand Rapids, LLC, (xvi) Citation Lake Zurich, LLC, (xvii) (Citation  
8 Michigan, LLC, (xviii) Citation Wisconsin Forging, LLC, (xix) Citation Wisconsin, LLC, (xx) ITM  
9 Holding Co., LLC, (xxi) Interstate Southwest, Ltd., (xxii) Texas Foundries Ltd., and (xxiii) MFC  
10 Liquidating Company, Ltd.

means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured or unsecured.

## **2. WHAT TO FILE**

The Debtors are enclosing a proof of claim form which you may use to file any claim you may have in these cases. If the Debtors scheduled you as a creditor in the Debtors' schedules of assets and liabilities, the form sets forth the amount of your claim as scheduled and whether the claim is scheduled as disputed, contingent or unliquidated. Additional proof of claim forms may be obtained at <http://www.uscourts.gov/bkforms/index.html>.

All proof of claim forms must be signed by the claimant or, if the claimant is not an individual, by a claimant's authorized agent. It must be written in English and be denominated in United States currency. You should attach to your completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or an explanation as to why the documents are not available.

Any holder of a claim against more than one Debtor must file a single proof of claim with a statement therein against which of the Debtors the claim is filed and all holders of claims must identify on their proof of claim the specific Debtor(s) against which their claim is asserted and the case number of any such Debtor's bankruptcy case. A list of the names of the Debtors and their case numbers is attached hereto as Exhibit A.

## **3. WHEN AND WHERE TO FILE**

Except as provided for herein, all proofs of claim must be filed so as to be received on or before 5:00 p.m. Eastern Time on January 7, 2005, at the following address:

### **If sent by mail:**

Citation Corporation Claims Processing  
c/o BSI  
P.O. Box 5015  
FDR Station  
New York, NY 10150-5015

### **If sent by messenger or overnight carrier:**

Citation Corporation Claims Processing  
c/o BSI  
757 Third Avenue, 3rd Floor  
New York, NY 10017

Proofs of claim will be deemed filed only when received at the addresses above on or before the General Bar Date. Proofs of claim may not be delivered by facsimile, telecopy or electronic mail transmission.

All claims must be filed with Bankruptcy Services, LLC ("BSI"), at the above address. After the entry of the Bar Date Order, the claims are not to be filed with the Clerk of Court. Any proof of claim filed with the Clerk of Court before the entry of the Bar Date Order will be deemed timely filed and Debtors shall, without necessarily consenting to such claim, transmit any such claim filed with the Clerk of Court prior to the entry of the Bar Date Order, to BSI.

## **4. WHO NEED NOT FILE A PROOF OF CLAIM**

You do **not** need to file a proof of claim on or prior to the General Bar Date if you are:

- A. Any person or entity whose claim is listed on the Schedules filed by the Debtors, provided that (i) the claim is not scheduled as "disputed," "contingent" or

"unliquidated"; and (ii) the claimant does not disagree with the amount, nature and priority of the claim as set forth in the Schedules; and (iii) the claimant does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;

- B. Any holder of a claim that heretofore has been allowed by order of the Court;
- C. Any person or entity whose claim has been paid in full;
- D. Any holder of a claim for which specific deadlines have previously been fixed by the Court;
- E. Any Debtor having a claim against another Debtor or any of the non-debtor affiliates of Citation Corporation having a claim against any of the Debtors;
- F. Any holder of a claim allowable under § 503(b) and § 507(a) of the Bankruptcy Code as an expense of administration;
- G. Any Governmental Unit (as defined by 11 U.S.C. § 101(27)), which entity shall file any proof of claim in accordance with 11 U.S.C. § 502(b)(9); and
- H. Claims by non-debtor parties to any rejected executory contract or unexpired lease (an "Executory Contract") arising solely from the rejection of such Executory Contract, provided, however, that such Claims shall be filed in accordance with any order of the Court applicable thereto, in each case, as to such claim or interest.

If you are a holder of an equity interest in the Debtors, you need not file a proof of interest with respect to the ownership of such equity interest at this time. However, if you assert a claim against the Debtors, including a claim relating to such equity interest or the purchase or sale of such interest, a proof of such claim must be filed on or prior to the General Bar Date pursuant to procedures set forth in this Notice.

This notice is being sent to many persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against the Debtors. **The fact that you have received this Notice does not necessarily mean that you have a claim or that the Debtors or the Court believe that you have a claim against the Debtors.**

## **5. EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Any person or entity that has a claim arising from the rejection of an Executory Contract must file a proof of claim by the date set by the order of the Court authorizing such rejection.

## **6. CRITICAL VENDOR PAYMENTS**

The amounts given in the proof of claim forms are the amounts that existed as of the Petition Date and are exclusive of subsequently received critical vendor payments. To the extent any holder of a claim has received payments as a critical vendor, any distributions made will have such critical vendor payment taken into account.

## **7. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE**

## GENERAL BAR DATE

ANY HOLDER OF A CLAIM THAT IS NOT EXCEPTED FROM THE REQUIREMENTS OF THIS NOTICE, AS SET FORTH IN SECTION 4 ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM WILL BE FOREVER BARRED, ESTOPPED AND ENJOINED FROM (i) ASSERTING SUCH CLAIM AGAINST THE DEBTORS, THEIR SUCCESSORS, THEIR ASSIGNS, THEIR PROPERTY AND THEIR CHAPTER 11 ESTATES OR THEREAFTER FILING A PROOF OF CLAIM WITH RESPECT THERETO, (ii) VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES, AND (iii) PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

### 8. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as the holder of a claim against the Debtors in the Debtors' Schedules of Assets and Liabilities and/or Schedules of Executory Contracts and Unexpired Leases (collectively, the "Schedules").

To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed proof of claim forms regarding the nature, amount, and status of your claim(s).

As set forth above, if you agree with the nature, amount and status of your claim as listed in the Debtors' Schedules, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a proof of claim. Otherwise, or if you decide to file a proof of claim, you must do so before the General Bar Date in accordance with the procedures set forth in this Notice.

Copies of the Debtors' Schedules are available for inspection online at <http://www.bsillc.com> or on the Court's Internet Website at <http://www.alnb.uscourts.gov>. A login and password to the Court's Public Access to Electronic Court Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.psc.uscourts.gov>. Copies of the Schedules may also be examined between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday at the Office of the Clerk of the Bankruptcy Court, 1800 5th Avenue North, Birmingham, Alabama 35203. Copies of the Debtors' Schedules may also be obtained (a) upon written request to Debtors' counsel at the address set forth below or (b) upon written request to Bankruptcy Services, LLC, 757 Third Avenue, 3rd Floor, New York, New York 10017 or by telephone at 866-266-8080.

**A holder of a possible claim against the Debtors should consult an attorney regarding any matters not covered by this notice, such as whether the holder should file a proof of claim.**

Dated: Birmingham, Alabama  
November 30, 2004

BURR & FORMAN, LLP

Michael Leo Hall

Robert B. Rubin

Rita H. Dixon

3100 SouthTrust Tower

420 North 20th Street

Birmingham, Alabama 35203

*Attorneys for Citation Corporation, et al., Debtors and Debtors in Possession*



**Exhibit A**

**Schedule of Debtors**

<b>Debtor</b>	<b>Address</b>	<b>Case Number</b>	<b>EIN</b>
Citation Corporation	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08130	63-0828225
Citation Holding Company	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08131	27-0084042
Berlin Foundry Corporation	242 South Pearl Street Berlin, WI 54923	04-08145	39-1535863
Bohn Aluminum, Inc., f/k/a BAC Acquisition Corp.	600 West Main Street Butler, IN 46721	04-08144	63-1166740
Castwell Products, Inc.	7800 N. Austin Avenue Skokie, IL 60077	04-08146	36-6112444
Citation Precision, Inc., f/k/a Citation Products, Inc.	11000 Jersey Boulevard Rancho Cucamonga, CA 91730	04-08150	62-1731537
HI-TECH, Inc., f/k/a HTC Acquisition Corp.	1612 Progress Drive Albion, IN 46701	04-08152	63-1160877
Iroquois Foundry Corporation, f/k/a Iroquois Acquisition Corp.	N. 2480 County Highway M Browntown, WI 53522	04-08153	62-1592768
ISW Texas Corporation	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08136	63-1283056
Mansfield Foundry Corporation, f/k/a MFC Acquisition Corp.	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08154	62-1579308
OBI Liquidating Corporation, f/k/a Oberdorfer Industries, Inc., f/k/a OBI Acquisition Corp.	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08155	62-1587125
Texas Steel Corporation, f/k/a TSC Acquisition Corp.	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08139	63-1158179
TSC Texas Corporation	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08140	63-1166741
Citation Aluminum LLC	43575 Nicholsville Road Bay Minette, AL 36507	04-08147	63-0644832
Citation Castings LLC, f/k/a Citation Castings, Inc., f/k/a Alabama Ductile Casting Co., a/k/a Southern Ductile Casting Co., a/k/a Citation Marion, a/k/a Citation Foam Casting Co., and a/k/a Foundry Service Co.	2217 Carolina Avenue Bessemer, AL 35020	04-08148	63-1179952
Citation Grand Rapids, LLC	3559 Kraft Avenue SE Grand Rapids, MI 49512-2033	04-08141	38-3396332

Citation Lake Zurich LLC	320 E. Main Street Lake Zurich, IL 60047	04-08149	36-3614497
Citation Michigan LLC, f/k/a ITM Partners, Inc., f/k/a Citation Automotive Sales Corp.	27275 Haggerty Road, Ste 420 Novi, MI 48377	04-08143	62-1283053
Citation Wisconsin Forging LLC, s/b/c Interstate Forging Indus., Inc.	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08138	39-0368160
Citation Wisconsin LLC, f/k/a Custom Products Corp.	W139 N5470 Oak Lanes Menomonee Falls, WI 53051	04-08151	39-0986452
ITM Holding Company, LLC	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08142	63-1283056
Interstate Southwest Ltd.	10908 County Road 419 Navasota, TX 77868-1030	04-08135	62-1657457
Texas Foundries Ltd.	1611 North Raguet Lufkin, TX 75904	04-08134	63-1166737
MFC Liquidating Company, Ltd.	2700 Corporate Drive, Ste. 100 Birmingham, AL 35242	04-08133	63-1166738

<b>UNITED STATES BANKRUPTCY COURT/NORTHERN DISTRICT OF ALABAMA</b> CITATION CORPORATION CLAIMS PROCESSING P.O. BOX 5015, FDR STATION NEW YORK, NY 10150-5015		<b>PROOF OF CLAIM</b>	
In Re: Citation Corporation, et al.,  Debtors.		Chapter 11Case No. Case No. 04-08130-TOM-11 (Jointly Administered)	
Name of Debtor Against Which Claim is Held		Case No. of Debtor	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.			
Name and address of Creditor :		<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case.  <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Telephone number:			
Account or other number by which creditor identifies debtor:		Check here if this claim: <input type="checkbox"/> replaces <input type="checkbox"/> amends a previously filed claim, dated: _____	
1. Basis for Claim <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input type="checkbox"/> Other _____ (explain)		<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (fill out below)  Last Four Digits of your SS#: _____  Unpaid compensation for services performed  from _____ to _____ (date) (date)	
2. Date debt was incurred:		3. If court judgment, date obtained:	
4. Total Amount of Claim at Time Case Filed: \$ _____ + _____ + _____ = _____ (unsecured nonpriority) (secured) (unsecured priority) (Total) <input type="checkbox"/> If all or part of your claim is secured or entitled to priority, also complete Item 5 or 7 below. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.			
5. Secured Claim. <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____  Value of Collateral: \$ _____  Amount of arrearage and other charges <u>at time case filed</u> included in secured claim,		7. Unsecured Priority Claim. <input type="checkbox"/> Check this box if you have an unsecured priority claim Amount entitled to priority \$ _____ Specify the priority of the claim:  <input type="checkbox"/> Wages, salaries or commissions (up to \$4,925), earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Up to \$2,225 of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6).  <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507(a)(_____).	
6. Unsecured Nonpriority Claim: \$ _____ <input type="checkbox"/> Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority.			
8. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. 9. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. 10. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		THIS SPACE IS FOR COURT USE ONLY	
Date	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):		

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both - 18 U.S.C. §§ 152 and 3571

## INSTRUCTIONS FOR PROOF OF CLAIM FORM

*The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.*

### DEFINITIONS

#### **Debtor**

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

#### **Creditor**

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

#### **Proof of Claim**

A form filed with the clerk of the bankruptcy court where the bankruptcy case was filed, to tell the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed

#### **Secured Claim**

A claim is a secured claim if the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began. In some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*)

#### **Unsecured Claim**

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

#### **Unsecured Priority Claim**

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

### Items to be completed in Proof of Claim form (if not already filled in)

#### **Court, Name of Debtor and Case Number:**

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

#### **Information about Creditor:**

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

**1. Basis for Claim:**

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

**2. Date Debt Incurred:**

Fill in the date when the debt first was owed by the debtor.

**3. Court Judgments:**

If you have a court judgment for this debt, state the date the court entered the judgment.

**4. Total Amount of Claim at Time Case Filed:**

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

**5. Secured Claim:**

Check the appropriate place if the claim is a secured claim. You must state the type and value of the property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

**6. Unsecured Priority Claim:**

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

**7. Credits:**

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

**8. Supporting Documents:**

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

